

REMARKS/ARGUMENTS

Though no related requirement was raised, Applicant has amended paragraphs [0008], [0027], [0034] and [0040] to eliminate attorney docket references and to add serial numbers not available at the time of original filing.

Claims 1, 9-11, 19-21 and 29-30 stand rejected under 35 U.S.C. 102(b) as being unpatentable over USPN 6,609,364 to Litorell et al. Claims 2-8, 12-18 and 22-28 were objected to as being dependent upon a rejected base claim but were indicated as allowable if rewritten in independent form including all of the limitations of the base claim has any intervening claims.

Applicant has canceled claims 1, 11 and 21. Applicant has amended claims 2, 5, 8, 12, 15, 18, 22, 25 and 28 to include all of the limitations of the respective base claims as required by the Office Action for allowance. Claims 3, 4, 6, 7, 13, 14, 16, 17, 23, 24, 26 and 27, by virtue of these amendments now also include the limitations required for their allowance. Therefore, Applicant respectfully asserts that claims 2-8, 12-18 and 22-28 are in compliance with the requirements for allowance and respectfully request that same be allowed to proceed to issue.

Applicant has amended claims 10, 20 and 30 so that they each depend from allowable claims 2, 12 and 22, respectively. Applicant respectfully asserts that claims 10, 20 and 30 add additional limitations to allowable claims and hence respectfully request that same be allowed to proceed to issue.

Applicant respectfully traverses the rejection of claims 9, 19 and 29. Applicant has amended claims 9, 19 and 29 to include the limitations of their base claims 1, 11 and 21, respectively. Applicants have read and re-read the entire Litorell et al. reference and can identify no portion thereof which discloses setting the desired exhaust gas recirculation mass to zero as asserted in the office Action in support of the rejection of claims 9, 19 and 29. Therefore, Applicant respectfully asserts that claims 9, 19 and 29 are allowable claims and hence respectfully request that same be allowed to proceed to issue.

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If the Examiner has any questions regarding the contents of the present response he may contact Applicants' attorney at the phone number appearing below.

Any fees associated with this response may be charged to General Motors Deposit Account No. 07-0960.

Respectfully submitted,



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